

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

Submitted May 19, 2025*

Decided May 19, 2025

Before

DIANE S. SYKES, *Chief Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

No. 25-1009

ROY DUNBAR,
Plaintiff-Appellant,

v.

REBECCA A. KIEFER, et al.,
Defendants-Appellees.

No. 25-1010

ROY DUNBAR,
Plaintiff-Appellant,

v.

JACK L. DAVILA, et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Eastern District of
Wisconsin.

No. 24-CV-1592-JPS

J. P. Stadtmueller,
Judge.

Appeal from the United States District
Court for the Eastern District of
Wisconsin.

No. 24-CV-1593-JPS

J. P. Stadtmueller,
Judge.

* The appellees in No. 25-1010 were not served with process and are not participating in this appeal. Appellees Ruckdashel and Zoril in No. 25-1009 are not participating in this appeal. We have agreed to decide the cases without oral argument because the appeals are frivolous. FED. R. APP. P. 34(a)(2)(A).

ORDER

Roy Dunbar appeals the dismissal of his two lawsuits based on the abstention doctrine of *Younger v. Harris*, 401 U.S. 37 (1971). Because the cases involve similar issues, we hereby consolidate the appeals for disposition. And because Dunbar's briefs do not contest the rationale for the dismissal of his cases, we dismiss the appeals.

In each initial complaint, Dunbar sued individuals involved in two ongoing criminal cases against him in Wisconsin state court.⁺ He alleged, without elaboration, that the defendants were violating his constitutional rights during the prosecutions. The district judge dismissed each complaint for failure to state a claim, *see* 28 U.S.C. § 1915(e)(2)(B)(ii), and advised Dunbar that federal courts generally should not exercise jurisdiction over constitutional claims that seek to interfere with ongoing state criminal proceedings, *see Younger*, 401 U.S. at 43. After Dunbar amended his complaints, the judge again dismissed them without prejudice and entered final judgment. The judge explained that he had to abstain from exercising jurisdiction over Dunbar's claims because the state criminal proceedings were ongoing, *see id.*, and, further, that dismissing rather than staying the cases was proper because Dunbar did not appear to seek damages. The judge also noted that Dunbar "casts his claims in terms of estates, trusts, sureties, and other legal terms that have nothing to do ... with a criminal prosecution."

In his briefs on appeal, Dunbar does not contest the correctness of abstaining under *Younger* nor cite any relevant authorities. He also does not dispute the district judge's decision to dismiss, rather than stay, the cases. His briefs merely restate his grievances and, as the judge observed, spout "sovereign citizen"-type theories that we have deemed frivolous repeatedly. *See United States v. Benabe*, 654 F.3d 753, 767 (7th Cir. 2011) (collecting cases). Although we construe pro se filings generously, an appellate brief must contain a discernible argument that the district judge erred somehow. *See* FED. R. APP. P. 28(a)(8)(A); *Anderson v. Hardman*, 241 F.3d 544, 545–46 (7th Cir. 2001). Briefs "that [do] not even *try* to engage the reasons the appellant lost [have] no prospect of success." *Klein v. O'Brien*, 884 F.3d 754, 757 (7th Cir. 2018) (emphasis in original). Dunbar's appeals are frivolous and must be dismissed. *Anderson*, 241 F.3d at 545–46.

DISMISSED

⁺ The defendants in No. 25-1009 are two state judges, a prosecutor, Dunbar's defense attorney, and a court clerk. The defendants in No. 25-1010 are a state judge, a prosecutor, and a court clerk.